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Compilation on Slovakia

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. Several treaty bodies recommended that Slovakia ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families,[3] the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[4] and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.[5]

3. In 2017, Slovakia submitted its midterm report regarding the implementation of the recommendations made during its second universal periodic review.[6]

4. Slovakia contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2016, 2017 and 2018.[7]

III. National human rights framework[8]

5. The Human Rights Committee was concerned that the Slovak National Centre for Human Rights had a limited mandate and lacked independence, that there was a lack of transparency surrounding its recruitment procedures and the diversity of its members and staff, and that it had not been provided with adequate resources to carry out its functions.[9] The Committee on the Elimination of Racial Discrimination was concerned that the Centre was not yet in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and continued to be accredited with B status.[10]

6. The Committee against Torture recommended that Slovakia amend relevant legislation with a view to strengthening the mandate and independence of the Centre and bring it into full compliance with the Paris Principles, and provide the Centre with sufficient financial and human resources to enable it to carry out its mandate independently and effectively.[11]

7. The Committee on the Rights of the Child recommended that Slovakia, inter alia, ensure the independence of the institution of the Commissioner for Children with regard to its election process, funding, mandate and immunities so as to guarantee full compliance with the Paris Principles, and ensure adequate and long-term funding for the institution.[12]

8. The Human Rights Committee and the Committee on the Elimination of Racial Discrimination welcomed the adoption of the National Strategy for the Promotion and Protection of Human Rights in 2015.[13]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination[14]

9. The Human Rights Committee welcomed the adoption in 2013 of amendments to the Anti-Discrimination Act extending the definition of indirect discrimination.[15] The Human Rights Committee and the Committee on the Rights of Persons with Disabilities noted, however, that the Act lacked an explicit definition of multiple discrimination.[16]

10. The Committee on the Rights of Persons with Disabilities recommended that Slovakia amend the Anti-Discrimination Act to include intersectional and multiple discrimination as a form of discrimination, and definitions of the term.[17] The Human Rights Committee recommended that Slovakia adopt measures to adequately address multiple discrimination as a form of discrimination.[18]

11. The Committee on the Elimination of Racial Discrimination noted the prevalence of racial discrimination against different minorities, especially Roma, Muslims and persons of African descent.[19] It was concerned about reported verbal and physical attacks against them,[20] and also that activities by extremist organizations inciting racial discrimination continued.[21]

12. The Committee underlined the limited number of prosecutions and convictions for racially motivated crimes.[22] It remained concerned that court proceedings in cases of racial discrimination had continued to be excessively lengthy, thus having a negative impact on effective access to justice for victims.[23]

13. The Human Rights Committee recommended that Slovakia counter stigmatization of Roma, Muslim and other minorities, take measures to prevent racist attacks, and prohibit any advocacy of national, racial or religious hatred that constituted incitement to discrimination, hostility or violence.[24]

14. The Committee on the Elimination of Racial Discrimination recommended that Slovakia effectively implement the Anti-Discrimination Act[25] and the Action Plan on the Prevention and Elimination of Racism, Xenophobia, Anti-Semitism and Other Forms of Intolerance.[26] It also recommended that Slovakia ensure that participation in and the financing of organizations that incited and promoted racial discrimination were prosecuted, that all racially motivated crimes were investigated and perpetrators prosecuted and punished, and that motives based on race or on skin colour, descent or national or ethnic origin were considered an aggravating circumstance when imposing punishment for a crime.[27]

15. The Human Rights Committee was concerned that the phenomena of hate crime and hate speech in political discourse, in the media and on the Internet against minorities,

notably Roma, Muslims and non-citizens, remained prevalent.[28] The Committee on the Elimination of Discrimination against Women, the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child made similar observations.[29] The Committee on the Elimination of Racial Discrimination recommended that Slovakia adopt effective measures to combat hate speech, and ensure that all incidents of hate speech were investigated and prosecuted and that the perpetrators were punished.[30]

16. The Human Rights Committee was concerned about the increasingly hostile environment against persons on the basis of their actual or perceived sexual orientation, gender identity or expression, which was exacerbated by hostile discourse from political figures.[31] The Committee recommended that Slovakia, inter alia, eradicate all forms of social stigmatization of homosexuality, bisexuality or transsexuality and discrimination, and violence against persons based on their sexual orientation or gender identity.[32]

17. The Committee was concerned that sterilization for both transgender women and men was required for legal gender recognition.[33] The Committee on the Elimination of Discrimination against Women urged Slovakia to abolish the requirement of compulsory sterilization and surgery for transgender women who wished to obtain legal recognition of their gender.[34] The Human Rights Committee urged Slovakia to develop and implement a legal gender recognition procedure compatible with the provisions of the Covenant.[35]

B. Civil and political rights

1. Right to life, liberty and security of person[36]

18. The Committee against Torture urged Slovakia to adopt a definition of torture covering all elements contained in article 1 of the Convention against Torture, and to ensure that penalties for torture were commensurate with the gravity of the crime.[37]

19. The Committee on the Rights of Persons with Disabilities was concerned about inhuman or degrading treatment through the use of physical, mechanical and chemical restraints, and the use of isolation and seclusion for persons with psychosocial disabilities. It recommended that Slovakia discontinue those practices, and reform laws and policies allowing for them.[38]

20. The Committee against Torture and the Human Rights Committee were concerned at allegations of the excessive use of force by law enforcement officials, mostly after apprehension, which might amount to ill-treatment or torture, and also at the low number of complaints, prosecutions and convictions in such cases.[39]

21. The Committee on the Elimination of Racial Discrimination expressed its concern at reports of excessive use of force and ill-treatment by law enforcement officers against ethnic minorities, particularly Roma. It was concerned that raids in Roma settlements were often carried out without arrest or search warrants, that in many cases members of the Roma minority had been injured, and that the majority of those reports were either not duly investigated, or when investigations had been initiated, they had been suspended. The Committee was particularly concerned that an investigation for alleged false accusations had been initiated against the victims of excessive use of force during a raid in a Roma settlement of Budulovská in Moldava nad Bodvou, which could deter other victims from reporting cases of police abuse or excessive use of force.[40]

22. The Committee against Torture recommended that Slovakia eradicate all forms of harassment and ill-treatment by police during investigations, and state at the highest political level that there would be no tolerance for excessive use of force by law enforcement officials, including against ethnic minorities. The Committee recommended that Slovakia effectively investigate all allegations of excessive use of force, including torture and ill-treatment, by law enforcement officials, ensure that those suspected of having committed such acts were immediately suspended from their duties throughout the period of investigation and prosecute them, and if they were found guilty, ensure that they received sentences commensurate with the gravity of their acts.[41] The Human Rights Committee, the Committee on the Elimination of Racial Discrimination and several special procedure mandate holders made similar recommendations.[42]

23. The Committee against Torture and the Human Rights Committee were concerned that investigations into allegations of ill-treatment by police officers were carried out by the Ministry of the Interior.[43] The Committee on the Elimination of Racial Discrimination regretted that its previous recommendations on establishing an independent monitoring mechanism to investigate crimes involving police officers had not been implemented. It urged Slovakia to accelerate the establishment of such a mechanism.[44]

24. The Committee against Torture recommended that Slovakia introduce domestic violence as a specific offence in the Criminal Code, with appropriate sanctions, establish an effective and independent complaints mechanism for victims of domestic violence, and ensure that all allegations of domestic violence were effectively investigated and the perpetrators prosecuted and punished, and that victims benefited from protection. The Human Rights Committee and the Committee on the Elimination of Discrimination against Women made similar recommendations.[45] In 2017, Slovakia announced that the Act on Victims of Crime defining the offence of domestic violence would be effective as of January 2018.[46]

2. Administration of justice, including impunity, and the rule of law[47]

25. The Committee against Torture was concerned at the lack of efficiency of the judicial system, including the slowness of judicial proceedings, which had created a backlog of cases. It urged Slovakia to improve the functioning of the judicial system in order to enhance the efficiency of judicial proceedings and reduce the backlog of cases.[48]

26. The Committee recommended that Slovakia guarantee all detained persons all fundamental legal safeguards from the outset of their deprivation of liberty in accordance with international standards, including the right to have prompt access to a lawyer from the very outset of deprivation of liberty and, if necessary, to legal aid.[49]

27. The Committee recommended that Slovakia amend its legislation to reduce the duration of pretrial detention, which should be used as an exception, applied for limited periods of time, clearly regulated and subject to judicial supervision, and replace pretrial detention with non-custodial measures.[50]

28. The Committee urged Slovakia to ensure that all persons deprived of their liberty had access to a regime of organized and purposeful out-of-cell activities, to ensure the presence of a sufficient number of psychiatrists in the prison health-care system, and to strengthen the independent and regular monitoring of all places of deprivation of liberty by the ombudsperson and other independent mechanisms.[51]

29. The Committee on the Rights of the Child was concerned that specialized juvenile courts had not been in place since 1993, that special procedures for interrogating children were often used only for children younger than 15 years of age, and that children could undergo initial questioning without their lawyers, parents or other trusted persons present.[52] The Committee urged Slovakia to re-establish specialized juvenile court procedures with adequate resources and designate specialized judges, ensure the provision of qualified and independent legal aid to children in conflict with the law from the beginning of the process and throughout legal proceedings, ensure that special procedures for interrogating children were used for all children up to and including the age of 18, and amend the relevant legislation to ensure that children could only be questioned in the presence of their lawyers, parents or other trusted persons.[53]

3. Fundamental freedoms and the right to participate in public and political life

30. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged the Government to decriminalize defamation and to incorporate defamation into the Civil Code, in accordance with international standards.[54]

31. UNESCO reported on the killing of journalist Ján Kuciak in 2018.[55] The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on extrajudicial, summary or arbitrary executions stated that Slovakia should send a strong message that there would be no impunity for attacks against journalists by conducting a thorough investigation into the killing of Mr.

Kuciak and his partner Martina Kusnirova. They called upon Slovakia to bring those responsible for their killings to justice and to take all necessary measures to protect all journalists in Slovakia.[56]

32. The Committee on the Rights of Persons with Disabilities recommended that Slovakia repeal sections 4 (c) and 6 (c) of the Elections Act and provide for an accessible electoral system to enable all persons with disabilities to exercise their rights to vote and to stand for election.[57]

4. Prohibition of all forms of slavery[58]

33. The Committee against Torture was concerned that Slovakia remained a country of origin, transit and destination for human trafficking, in particular for labour and sexual exploitation and forced begging.[59] The Committee on the Elimination of Discrimination against Women noted with concern the ineffective identification of victims of human trafficking, the lenient sentencing of perpetrators and the vulnerability of Roma women and girls to trafficking for sexual exploitation.[60] The Committee on the Rights of the Child was concerned that children who left institutional care facilities were often at risk of human trafficking owing to a lack of sufficient support.[61]

34. The Committee on the Elimination of Discrimination against Women recommended that Slovakia strengthen efforts aimed at the early identification of victims of trafficking and at victim assistance, ensure the prosecution and adequate punishment of perpetrators of trafficking-related crimes, commensurate with the gravity of the crime, and address the root causes of trafficking and forced prostitution.[62] The International Labour Organization Committee of Experts on the Application of Conventions and Recommendations requested the Government to strengthen its efforts to prevent and eliminate trafficking in children, particularly in Roma girls.[63] The Committee against Torture recommended the implementation of a national programme to fight human trafficking for 2015–2018 and of legislation aimed at countering trafficking, and the allocation of sufficient funds to combat trafficking.[64]

5. Right to family life

35. The Committee on the Elimination of Discrimination against Women noted with concern that there was no legal provision regulating de facto unions, which might deprive women of protection and redress in cases of separation from their partner. The Committee noted that the law on property distribution upon divorce did not adequately address gender-based economic disparities between spouses resulting from traditional work and family life patterns.[65]

C. Economic, social and cultural rights

1. Right to social security

36. The Committee on the Elimination of Discrimination against Women recommended that Slovakia review its pension and social benefits schemes, to ensure that the amount and duration of pensions and other benefits were adequate for effective protection against poverty.[66] The Committee on the Rights of the Child recommended that Slovakia develop anti-poverty strategies, and ensure that Roma families and children were included as target groups in need of special protection.[67]

2. Right to health[68]

37. The Committee on the Elimination of Discrimination against Women recommended that Slovakia adopt a comprehensive programme on sexual and reproductive health and rights, and allocate sufficient resources for its implementation.[69] The Committee and UNESCO also recommended that Slovakia provide education on sexual and reproductive health and rights as part of the regular school curricula.[70]

38. The Committee on the Rights of the Child recommended that Slovakia expand adolescent girls' practical access to affordable contraception, remove the parental consent

requirement for contraceptives requested by adolescent girls over the age of sexual consent, and develop and implement a policy to protect the rights of pregnant teenagers, adolescent mothers and their children, and combat discrimination against them.[71]

44. The Committee on the Elimination of Discrimination against Women recommended that Slovakia revise the Health Care Act to ensure access to safe abortion, and remove the requirement for mandatory counselling, medically unnecessary waiting periods and third-party authorization; ensure unimpeded and effective access to legal abortion and post-abortion services to all women, including by ensuring mandatory referrals in cases of conscientious objections by institutions; and abolish the requirement to report the personal details of women and girls seeking an abortion to the National Health Information Centre. It also recommended that Slovakia ensure universal coverage by public health insurance of all costs relating to legal abortion and modern contraceptives.[72]

45. The Committee on the Rights of Persons with Disabilities was concerned about discrimination against persons with disabilities in their access to health-care services, in particular sexual and reproductive health services, and the restrictions to the exercise of free and informed consent to treatment. The Committee was concerned that the Health Care Act authorized guardians to make decisions for women whose legal capacity had been restricted, on their sterilization and use of contraception.[73]

46. The Committee on the Elimination of Racial Discrimination was concerned about reports of discriminatory treatment by medical personnel against Roma and segregation of Roma, particularly women and girls, and at information relating to verbal and physical violence faced by Roma women when seeking access to sexual and reproductive health services.[74] The Committee against Torture was concerned at reports of the sterilization of Roma women without their free and informed consent, and about the difficulties of victims in obtaining redress.[75]

42. The Committee on the Elimination of Discrimination against Women remained concerned that there was no systematic monitoring of the implementation of relevant legislation on the prohibition of forced sterilization.[76] The Committee on the Rights of Persons with Disabilities was concerned about the lack of investigations for cases of forced sterilization.[77] The Committee on the Elimination of Discrimination against Women noted that some cases of forced sterilization had been pending in the national courts for long periods.[78] The Human Rights Committee was concerned that Slovakia had still not acknowledged responsibility for the past practice of forced sterilization of Roma women.[79]

43. The Committee on the Rights of the Child was concerned that the vaccination rate had dropped below the 95 per cent threshold owing to anti-vaccination campaigns and the reported resistance to vaccination in Roma communities.[80]

3. Right to education[81]

44. Taking note of target 4.2 of Sustainable Development Goal 4, the Committee on the Rights of the Child recommended that Slovakia allocate sufficient financial resources for the development and expansion of early childhood care and education.[82]

45. The Committee urged Slovakia to ensure that inclusive education was given priority over the placement of children in specialized institutions and classes, and to train and assign specialized teachers and professionals in integrated classes to provide individual support.[83] The Committee on the Rights of Persons with Disabilities recommended that Slovakia adopt a plan for the transition from segregated schools to inclusive education at all levels.[84]

46. The Committee on the Rights of the Child recommended that Slovakia include human rights education in school curricula.[85]

D. Rights of specific persons or groups

1. Women[86]

47. The Committee on the Elimination of Discrimination against Women noted with concern that discriminatory stereotypes regarding the roles and responsibilities of women

and men in society and family were deeply rooted in Slovakia, and that there had been campaigns by non-State actors advocating for traditional family values, overemphasizing the roles of women as mothers and caretakers, and criticizing gender equality as "gender ideology".[87] It urged Slovakia to promote the understanding of gender equality in line with international human rights standards, and to counter efforts made by any actors to downplay or degrade the pursuit of gender equality by labelling such measures as ideology.[88]

48. In 2015, the Committee recommended that Slovakia review the Anti-Discrimination Act in order to eliminate any form of discrimination against women in all areas covered by article 2 of the Convention on the Elimination of All Forms of Discrimination against Women.[89] In 2018, the Committee concluded that its recommendation had not been implemented.[90]

49. The Committee was concerned that many public and private actors had not adopted temporary special measures to facilitate the participation of women in the labour market, and that the lack of effective measures to promote the reconciliation of work and family life constituted a barrier to women's access to employment. It was also concerned that significant horizontal and vertical gender segregation existed in the labour market, and that the gender pay gap remained wide.[91]

50. The Committee recommended that Slovakia, inter alia, promote women's access to the labour market, eliminate horizontal and vertical segregation between women and men in the labour market and close the gender pay gap, review its legislation to promote the equal sharing of parental responsibilities between women and men, and encourage men to opt for paternity leave and flexible working arrangements.[92]

51. The Committee noted the high level of representation of women in the judiciary, but was concerned at the low level of representation of women in Parliament and in the Government, and the underrepresentation of women in high-ranking positions in the diplomatic service.[93] The Human Rights Committee recommended that Slovakia increase the participation of women in the public and private sectors, if necessary through appropriate temporary special measures. It encouraged Slovakia to further support the participation of women in high-level and managerial positions and on boards of private enterprises.[94] The Committee on the Elimination of Discrimination against Women recommended that Slovakia adopt temporary special measures for all areas of the Convention in which women were underrepresented or disadvantaged.[95]

52. The Committee recommended that Slovakia strengthen the Department of Gender Equality and Equal Opportunities in order to enhance its coordination role and capacity to implement the national strategy for gender equality for 2014–2019, and increase funding for the Department to ensure the sustainability of the strategy.[96] In 2017, Slovakia pledged to fulfil the action plan.[97]

53. Several treaty bodies noted the adoption of the National Action Plan for the Prevention and Elimination of Violence against Women 2014–2019.[98] The Committee on the Elimination of Discrimination against Women noted with concern, however, the prevalence of gender-based violence and harmful practices against women, the underreporting of such violence and the low numbers of prosecutions and convictions of perpetrators, the limited application of protection orders by the police and the lack of a coordinated system for preventive measures and victim assistance in cases of gender-based violence.[99]

54. The Committee was concerned that the protection of women from sexual harassment and discrimination in the workplace remained inadequate.[100]

55. The Committee urged Slovakia to ensure that women who were victims of violence had adequate access to protection and assistance, including by ensuring that there were sufficient State-funded shelters throughout the country.[101] The Committee against Torture recommended that Slovakia ensure the effective functioning of the free 24-hour State-funded helpline for women who were experiencing violence, and effectively implement the national action plan for the prevention and elimination of violence against women.[102]

2. Children[103]

56. The Committee on the Rights of the Child regretted that the Family Code allowed "reasonable physical punishment" in the raising of children in families.[104] The Human Rights Committee recommended that Slovakia put an end to corporal punishment in all settings and encourage non-violent forms of discipline as alternatives to corporal punishment.[105]

57. The Committee on the Rights of the Child urged Slovakia to establish early detection and investigative programmes for identifying child victims of violence and sexual abuse, and to ensure effective prosecution of perpetrators of violence against and sexual exploitation and abuse of children.[106]

58. The Committee was concerned that preventive measures to avoid the removal of children from their families and to prevent the abandonment of children after birth were lacking.[107] It recommended that Slovakia promote positive parenthood to avoid situations of family crisis that lead to the removal of children from their families, ensure access to professional help for families in crisis and also that children could stay in contact with their parents at all times, if it became necessary to separate them from their parents. It also recommended that Slovakia facilitate family-based care for children wherever possible, and strengthen the system of foster care for children who could not stay with their families, with a view to further reducing the institutionalization of children.[108]

59. The Committee urged Slovakia to prohibit the use of baby boxes allowing for the anonymous abandonment of children, and to promote and strengthen existing alternatives, including by providing family planning services, adequate counselling and social support for unplanned pregnancies and, as a last resort, the possibility of confidential hospital births.[109]

60. The Committee recommended strengthening support to young people leaving care to allow them to reintegrate into society, by providing access to adequate housing, legal, health and social services, and educational and vocational training opportunities.[110]

3. Persons with disabilities[111]

61. The Committee on the Rights of Persons with Disabilities was concerned that the medical approach to disability was still being used in assessments and provisions addressing persons with disabilities.[112] The Committee on the Rights of Persons with Disabilities, the Committee on the Rights of the Child and UNESCO recommended that Slovakia adopt a human rights-based approach to disability.[113]

62. The Committee on the Rights of Persons with Disabilities was concerned that legislation prohibiting disability-based discrimination had not been extended beyond the employment sector and that the denial of reasonable accommodation as disability-based discrimination was not recognized in law.[114]

63. The Committee was concerned that persons with disabilities were not given equal recognition before the law and were denied the rights to vote, to marry and found a family, to enjoy property and to retain fertility. It recommended that Slovakia repeal sections 10 (1) and (2) of the Civil Code, which provided for deprivation and restriction of legal capacity, and introduce supported decision-making.[115]

64. The Committee noted with concern the number of persons with disabilities living below the poverty line, the large number of persons with disabilities employed in sheltered workshops and the lack of effective measures to encourage employment in the open labour market.[116]

65. The Committee was concerned by the high number of institutionalized persons with disabilities, that progress on the deinstitutionalization process was slow, and that there was a lack of provision of full support for persons with disabilities to live independently in their communities.[117]

66. The Committee recommended that Slovakia ensure that the implementation of the deinstitutionalization process was expedited, that community-based services were strengthened for all persons with disabilities, and that new follow-up national action plans

of the transition from institutional settings to community-based support were initiated with the comprehensive involvement of organizations of persons with disabilities and civil society. It recommended that Slovakia no longer allocate resources from the national budget to institutions, and that it reallocate resources to community-based services.[118]

67. The Committee was concerned that national legislation did not provide for the monitoring of compliance to guarantee accessibility to buildings and support, and about the lack of accessibility to public information and communication.[119]

68. The Committee was concerned about the lack of registered sign language interpreters and of sign language interpretation on public television, in courts of justice and in public services, such as education, health and social care.[120]

69. The Committee on the Rights of the Child urged Slovakia to set up a comprehensive strategy for the inclusion of children with disabilities; to amend its legislation to prohibit the institutionalization of children with disabilities under the age of 6; to prioritize family and community care; to ensure that children with disabilities no longer lived in segregated institutional settings; and to undertake awareness-raising campaigns to combat the stigmatization of and prejudice against children with disabilities.[121] It recommended that Slovakia increase the amount of parental allowance for families with children with a severe disability, and grant them a special childcare allowance.[122]

4. Minorities[123]

70. The Committee on the Elimination of Racial Discrimination noted the adoption of the Action Plan for the Rights of National Minorities and Ethnic Groups (2016–2020).[124] In 2017, Slovakia submitted a pledge to the General Assembly to fulfil the action plan.[125]

71. The Human Rights Committee recommended that Slovakia promote tolerance and an environment inclusive of persons belonging to ethnic, national, racial, religious and other minorities.[126]

72. The Committee on the Elimination of Racial Discrimination recommended that Slovakia ensure full participation in public affairs by persons belonging to ethnic minorities, particularly Roma, in both decision-making positions and representative institutions, as well as equal opportunities for their participation at all levels of government and in decision-making positions in the private sector.[127]

73. The Committee on the Rights of the Child recommended that Slovakia strengthen its efforts to facilitate the education of children belonging to national minorities in their mother tongue.[128] UNESCO made a similar recommendation.[129]

74. The Human Rights Committee reiterated its concern that Roma had continued to suffer from discrimination, widespread unemployment, forced evictions without adequate alternative housing solutions and residential segregation.[130] The Committee on the Elimination of Racial Discrimination was concerned that residential segregation of Roma communities persisted, mostly in the eastern part of the country, including through the construction of walls, and that Roma continued to live in settlements where basic services, such as sanitation, drinking water, electricity, sewage systems and waste disposal, were lacking.[131]

75. The Committee welcomed the adoption of the National Strategy for Roma Inclusion by 2020 and its seven related action plans, but was concerned about the insufficient resources allocated for its effective implementation.[132]

76. The Committee recommended that Slovakia adopt special measures with a view to eliminating the structural discrimination that affected Roma and removing all obstacles that prevented their enjoyment of economic, social and cultural rights. It also recommended that Slovakia ensure the effective implementation of the National Strategy for Roma Inclusion, in consultation with Roma communities and organizations, and also the allocation of adequate resources for the implementation of the strategy.[133] In 2017, Slovakia pledged that it would fulfil the national strategy to the General Assembly.[134]

77. The Committee recommended that Slovakia provide access to adequate housing and improve the living conditions for Roma, end residential segregation affecting Roma and

provide security of tenure to Roma communities in order to prevent forced evictions and, when they could not be avoided, ensure that those affected were provided with alternative adequate housing and compensation.[135]

78. The Committee on the Rights of the Child and UNESCO noted that Roma children, especially in segregated settlements, continued to face multiple forms of discrimination, mainly in the fields of education, health care and standard of living.[136] The Committee was concerned that Roma children suffered from malnutrition owing to extremely poor living conditions.[137]

79. The Committee on the Elimination of Racial Discrimination remained concerned about discrimination against and the segregation of Roma children in the education system.[138] The Committee on the Rights of the Child noted that over 50 per cent of them were being taught in Roma-only classes or attending classes in separate school pavilions, often leading to inferior education. The Committee was concerned that the number of Roma children placed in schools for children with mild disabilities continued to be disproportionately high.[139] It was also concerned that the school enrolment rate among Roma children remained low and the dropout rate high, and that there was no systematic application of the Romani language in schools.[140]

80. The Committee on the Elimination of Racial Discrimination recommended that Slovakia eliminate the overrepresentation of Roma children in specialized classes or schools, integrate them into mainstream education and ensure that they enjoyed equal opportunities in access to quality education, including preschool education.[141]

5. Migrants, refugees and asylum seekers[142]

81. The Committee on the Elimination of Discrimination against Women was concerned at the heightened risk of violence, labour exploitation and racially motivated acts faced by migrant women. It urged Slovakia to introduce protective measures for all migrant women, including undocumented ones.[143]

82. The Office of the United Nations High Commissioner for Refugees (UNHCR) observed that, in Slovakia, a foreigner could be detained for a maximum period of six months, which might be repeatedly extended; the overall period could not exceed 18 months. Asylum seekers could not be detained for more than six months, unless they posed a security risk. Foreign families with children, regardless of whether they applied for asylum, could be detained for up to six months.[144]

83. The Committee on the Elimination of Racial Discrimination noted with concern that asylum seekers, including unaccompanied children and families with children, were often detained for extensive periods, and that the alternatives to detention were rarely made available to them.[145]

84. UNHCR reported that certain amendments made in 2017 to the Residence of Aliens Act allowed police authorities to apply two types of alternatives to detention. At the time of reporting, however, alternatives to detention had been applied only in a few cases.[146]

85. The Committee on the Elimination of Racial Discrimination urged Slovakia to provide alternatives to the detention of asylum seekers and to use detention only as a measure of last resort, for the shortest appropriate period.[147] UNHCR made a similar recommendation.[148] The Human Rights Committee urged Slovakia to ensure that any necessary detention took place in appropriate, sanitary, non-punitive facilities, not in prisons.[149]

86. The Committee on the Rights of the Child recommended that Slovakia discontinue the detention of children based on their or their parents' immigration status.[150] The Human Rights Committee and the Committee on the Rights of the Child recommended that Slovakia ensure that age assessment procedures were conducted only by experts and only in cases of reasonable doubt about the age of the person concerned.[151]

87. The Human Rights Committee was concerned about reports of unaccompanied minors who had gone missing from foster homes, and the inefficiency in locating them.[152] The Committee on the Rights of the Child made similar observations.[153]

88. The Human Rights Committee and the Committee on the Rights of the Child recommended that Slovakia ensure that unaccompanied minors received appropriate protection, establish a register of disappeared unaccompanied children, and ensure that child asylum seekers, particularly unaccompanied children, had access to education, social and psychological services and legal aid, and were provided with a legal representative and/or guardian.[154]

89. The Committee against Torture was concerned that Slovakia did not fully comply with the principle of non-refoulement since it had accepted diplomatic assurances in relation to the extradition of persons to States where their life or personal integrity could be threatened. It recommended that Slovakia fulfil its non-refoulement obligations.[155]

90. UNHCR recommended that Slovakia, inter alia, adopt the State integration programme for beneficiaries of international protection before the end of 2018, to ensure that there was a programme in place to facilitate refugees' access to social, economic and cultural rights; provide asylum seekers and beneficiaries of subsidiary protection with effective access to the health-care system by making public health insurance accessible; and accelerate the process of local integration of asylum seekers, refugees and beneficiaries of subsidiary protection by developing effective study materials on the Slovak language and providing appropriate guidance for teachers working with them.[156]

6. Stateless persons

91. UNHCR observed that, although the Act on Residence of Aliens provided for the protection of stateless persons, there were significant gaps that generally undermined that protection regime. It recommended that Slovakia, inter alia, establish a statelessness determination procedure with the necessary procedural guarantees in line with international standards, strengthen the protection of stateless persons through quality legal assistance, and facilitate the naturalization of stateless persons.[157]

Notes

1 Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Slovakia will be available at www.ohchr.org/EN/Countries/ENACARegion/Pages/SKIndex.aspx.
2 For relevant recommendations, see A/HRC/26/12, paras. 110.1–110.3, 110.6, 110.11 and 110.99.
3 CAT/C/SVK/CO/3, para. 21, CEDAW/C/SVK/CO/5-6, para. 48, CERD/C/SVK/CO/11-12, para. 29 and CRC/C/SVK/CO/3-5, para. 62.
4 CAT/C/SVK/CO/3, para. 21, CRC/C/SVK/CO/3-5, para. 62 and CERD/C/SVK/CO/11-12, para. 29.
5 CCPR/C/SVK/CO/4, para. 25, CCPR/C/SVK/CO/4/Add.1, para. 20 and CEDAW/C/SVK/CO/5-6, para. 21. See also Office of the United Nations High Commissioner for Refugees (UNHCR) submission for the universal periodic review of Slovakia, p. 1.
6 See www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx.
7 OHCHR, "Funding", in *OHCHR Report 2016*, pp. 79 and 135, *OHCHR Report 2017*, pp. 79 and 135 and *OHCHR Report 2018* (forthcoming)
8 For relevant recommendations, see A/HRC/26/12, paras. 110.14–110.20, 110.23–110.27 and 110.30.
9 CCPR/C/SVK/CO/4, para. 8. See also CRC/C/SVK/CO/3-5, para. 15.
10 CERD/C/SVK/CO/11-12, para. 7. See also CAT/C/SVK/CO/3, para. 16, CEDAW/C/SVK/CO/5-6, para. 12 and CRC/C/SVK/CO/3-5, para. 15.
11 CAT/C/SVK/CO/3, para. 16. See also CCPR/C/SVK/CO/4, para. 9, CERD/C/SVK/CO/11-12, para. 8 and CEDAW/C/SVK/CO/5-6, para. 13.
12 CRC/C/SVK/CO/3-5, para. 12.
13 CCPR/C/SVK/CO/4, para. 3 and CERD/C/SVK/CO/11-12, para. 4.
14 For relevant recommendations, see A/HRC/26/12, paras. 110.28–110.29, 110.36–110.70, 110.92–110.95, 110.97–110.98 and 110.102.
15 CCPR/C/SVK/CO/4, para. 4. See also CEDAW/C/SVK/CO/5-6, paras. 4 and 8 and United Nations Educational, Scientific and Cultural Organization (UNESCO) submission for the universal periodic review of Slovakia, para. 10.
16 CCPR/C/SVK/CO/4, para. 10 and CRPD/C/SVK/CO/1, para. 17.
17 CRPD/C/SVK/CO/1, para. 18.
18 CCPR/C/SVK/CO/4, para. 11.
19 CERD/C/SVK/CO/11-12, para. 9.
20 Ibid., para. 11. See also CEDAW/C/SVK/CO/5-6, para. 39 and CRC/C/SVK/CO/3-5, para. 22.

[21] CERD/C/SVK/CO/11-12, para. 11.
[22] Letter dated 15 May 2015 from the Committee on the Elimination of Racial Discrimination addressed to the Permanent Mission of Slovakia to the United Nations Office and other international organizations in Geneva, p. 2. Available from http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/SVK/INT_CERD_FUL_SVK_20673_E.pdf.
[23] CERD/C/SVK/CO/11-12, para. 9. See also CCPR/C/SVK/CO/4, para. 10 and CEDAW/C/SVK/CO/5-6, para. 10.
[24] CCPR/C/SVK/CO/4, para. 13. See also CEDAW/C/SVK/CO/5-6, para. 40.
[25] CERD/C/SVK/CO/11-12, paras. 10 and 18. See also CRC/C/SVK/CO/3-5, para. 16, CCPR/C/SVK/CO/4, para. 11 and CERD/C/88/D/56/2014, annex, para. 9.
[26] CERD/C/SVK/CO/11-12, para. 14. See also A/72/501, annex, para. 10.
[27] CERD/C/SVK/CO/11-12, para. 12. See also CCPR/C/SVK/CO/4, para. 13, CRC/C/SVK/CO/3-5, para. 16 and CCPR/C/SVK/CO/4/Add.1, paras. 1–10.
[28] CCPR/C/SVK/CO/4, para. 12.
[29] CERD/C/SVK/CO/11-12, para. 13, CEDAW/C/SVK/CO/5-6, para. 39 and CRC/C/SVK/CO/3-5, para. 15.
[30] CERD/C/SVK/CO/11-12, para. 14. See also CRC/C/SVK/CO/3-5, para. 15, CEDAW/C/SVK/CO/5-6, para. 40 and letter dated 15 May 2015 from the Committee on the Elimination of Racial Discrimination addressed to the Permanent Mission of Slovakia to the United Nations Office and other international organizations in Geneva p. 2.
[31] CCPR/C/SVK/CO/4, para. 14. See also CRC/C/SVK/CO/3-5, para. 15 and CEDAW/C/SVK/CO/5-6, para. 39.
[32] CCPR/C/SVK/CO/4, para. 15. See also CRC/C/SVK/CO/3-5, para. 16 and CEDAW/C/SVK/CO/5-6, para. 40.
[33] CCPR/C/SVK/CO/4, para. 14.
[34] CEDAW/C/SVK/CO/5-6, para. 37.
[35] CCPR/C/SVK/CO/4, para. 15.
[36] For relevant recommendations, see A/HRC/26/12, paras. 110.57–110.60, 110.94 and 110.96.
[37] CAT/C/SVK/CO/3, para. 7.
[38] CRPD/C/SVK/CO/1, paras. 45–46.
[39] CAT/C/SVK/CO/3, para. 11 and CCPR/C/SVK/CO/4, para. 28.
[40] CERD/C/SVK/CO/11-12, para. 15. See also CRC/C/SVK/CO/3-5, para. 22, CEDAW/C/SVK/CO/5-6, para. 36, CAT/C/SVK/CO/3, para. 11 and https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=23482.
[41] CAT/C/SVK/CO/3, para. 11. See also CAT/C/SVK/CO/3/Add.1, paras. 13–23 and 32–34.
[42] CCPR/C/SVK/CO/4, para. 29, CERD/C/SVK/CO/11-12, para. 16 and https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=23482.
[43] CCPR/C/SVK/CO/4, para. 28 and CAT/C/SVK/CO/3, para. 11. See also CRC/C/SVK/CO/3-5, para. 22.
[44] CERD/C/SVK/CO/11-12, paras. 15–16. See also CRC/C/SVK/CO/3-5, para. 23, CCPR/C/SVK/CO/4, para. 29, CAT/C/SVK/CO/3, para. 11 and CAT/C/SVK/CO/3/Add.1, para. 12.
[45] CAT/C/SVK/CO/3, para. 14, CEDAW/C/SVK/CO/5-6, para. 21 and CCPR/C/SVK/CO/4, para. 25.
[46] CCPR/C/SVK/CO/4/Add.1, para. 14. See also paras. 16–18.
[47] For relevant recommendations, see A/HRC/26/12, paras. 110.87–110.91 and 110.99–110.100.
[48] CAT/C/SVK/CO/3, para. 13. See also CEDAW/C/SVK/CO/5-6, para. 11 and CCPR/C/SVK/CO/4, para. 11.
[49] CAT/C/SVK/CO/3, para. 8. See also CAT/C/SVK/CO/3/Add.1, paras. 2–11.
[50] CAT/C/SVK/CO/3, para. 9.
[51] Ibid., para. 10.
[52] CRC/C/SVK/CO/3-5, para. 56. See also CAT/C/SVK/CO/3, para. 8.
[53] CRC/C/SVK/CO/3-5, para. 57.
[54] UNESCO submission, para. 15.
[55] Ibid., para. 7.
[56] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22753&LangID=E. See also UNESCO submission, para. 16 and https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=23690.
[57] CRPD/C/SVK/CO/1, para. 78.
[58] For relevant recommendations, see A/HRC/26/12, paras. 110.74–110.84.
[59] CAT/C/SVK/CO/3, para. 15.
[60] CEDAW/C/SVK/CO/5-6, para. 22. See also CRC/C/SVK/CO/3-5, para. 58.
[61] CRC/C/SVK/CO/3-5, para. 58.
[62] CEDAW/C/SVK/CO/5-6, para. 23. See also CAT/C/SVK/CO/3, para. 15.
[63] See www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3292671:NO.
[64] CAT/C/SVK/CO/3, para. 15. See also A/72/501, annex, para. 10.
[65] CEDAW/C/SVK/CO/5-6, para. 41.

[66] Ibid., para. 35.
[67] CRC/C/SVK/CO/3-5, para. 43.
[68] For relevant recommendations, see A/HRC/26/12, paras. 110.108–110.113.
[69] CEDAW/C/SVK/CO/5-6, para. 31. See also CRC/C/SVK/CO/3-5, para. 41.
[70] CEDAW/C/SVK/CO/5-6, para. 27 and UNESCO submission, para. 13. See also E/C.12/SVK/Q/3, para. 26.
[71] CRC/C/SVK/CO/3-5, para. 41.
[72] CEDAW/C/SVK/CO/5-6, para. 31. See also CRC/C/SVK/CO/3-5, para. 41.
[73] CRPD/C/SVK/CO/1, paras. 69 and 51.
[74] CERD/C/SVK/CO/11-12, para. 23. See also CEDAW/C/SVK/CO/5-6, para. 30, CRC/C/SVK/CO/3-5, para. 38 and CCPR/C/SVK/CO/4, para. 24.
[75] CAT/C/SVK/CO/3, para. 12. See also CRC/C/SVK/CO/3-5, para. 24.
[76] CEDAW/C/SVK/CO/5-6, para. 32.
[77] CRPD/C/SVK/CO/1, para. 51.
[78] CEDAW/C/SVK/CO/5-6, para. 32.
[79] CCPR/C/SVK/CO/4, para. 26.
[80] CRC/C/SVK/CO/3-5, para. 38.
[81] For relevant recommendations, see A/HRC/26/12, paras. 110.21 and 110.114.
[82] CRC/C/SVK/CO/3-5, para. 49.
[83] Ibid., para. 37. See also CEDAW/C/SVK/CO/5-6, para. 27.
[84] CRPD/C/SVK/CO/1, para. 68. See also CEDAW/C/SVK/CO/5-6, para. 27.
[85] CRC/C/SVK/CO/3-5, para. 47.
[86] For relevant recommendations, see A/HRC/26/12, paras. 110.32–110.35, 110.71, 110.102, 110.104–110.105 and 110.107.
[87] CEDAW/C/SVK/CO/5-6, para. 18. See also UNESCO submission, para. 13 and CEDAW/C/SVK/CO/5-6/Add.1, paras. 28–29.
[88] CEDAW/C/SVK/CO/5-6, para. 19. See also CEDAW/C/SVK/CO/5-6/Add.1, paras. 23–29.
[89] CEDAW/C/SVK/CO/5-6, para. 8. See also CEDAW/C/SVK/CO/5-6/Add.1, para. 10.
[90] Letter dated 5 September 2018 from the Committee on the Elimination of Discrimination against Women addressed to the Permanent Mission of Slovakia to the United Nations Office and other international organizations in Geneva. Available from https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/SVK/INT_CEDAW_FUL_SVK_32309_E.pdf.
[91] CEDAW/C/SVK/CO/5-6, para. 28. See also CEDAW/C/SVK/CO/5-6/Add.1, paras. 11–27.
[92] CEDAW/C/SVK/CO/5-6, para. 29. See also CEDAW/C/SVK/CO/5-6/Add.1, paras. 11–22.
[93] CEDAW/C/SVK/CO/5-6, para. 24. See also CCPR/C/SVK/CO/4, para. 22.
[94] CCPR/C/SVK/CO/4, para. 23. See also CEDAW/C/SVK/CO/5-6, paras. 25 and 29.
[95] CEDAW/C/SVK/CO/5-6, para. 17.
[96] Ibid., para. 15.
[97] A/72/501, annex, para. 10.
[98] CCPR/C/SVK/CO/4, para. 3, CAT/C/SVK/CO/3, para. 6, CEDAW/C/SVK/CO/5-6, para. 5 and CRPD/C/SVK/CO/1, para. 4.
[99] CEDAW/C/SVK/CO/5-6, para. 20. See also CCPR/C/SVK/CO/4, para. 24 and CAT/C/SVK/CO/3, para. 14.
[100] CEDAW/C/SVK/CO/5-6, para. 28.
[101] Ibid., para. 21. See also CCPR/C/SVK/CO/4, para. 25, CAT/C/SVK/CO/3, para. 14 and A/72/501, annex, para. 10.
[102] CAT/C/SVK/CO/3, para. 14.
[103] For relevant recommendations, see A/HRC/26/12, paras. 110.72–110.73 and 110.85.
[104] CRC/C/SVK/CO/3-5, para. 26. See also CCPR/C/SVK/CO/4, para. 34.
[105] CCPR/C/SVK/CO/4, para. 35. See also CRC/C/SVK/CO/3-5, para. 27.
[106] CRC/C/SVK/CO/3-5, para. 29.
[107] Ibid., para. 34.
[108] Ibid., para. 35.
[109] Ibid., para. 21.
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[112] CRPD/C/SVK/CO/1, para. 11.
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[114] CRPD/C/SVK/CO/1, paras. 13 and 15.
[115] Ibid., paras. 38–39.
[116] Ibid., paras. 73 and 75.
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[118] CRPD/C/SVK/CO/1, para. 56. See also CCPR/C/SVK/CO/4, para. 21 and CRC/C/SVK/CO/3-5, para. 37.
[119] CRPD/C/SVK/CO/1, paras. 29 and 31.
[120] Ibid., para. 61.

[121] CRC/C/SVK/CO/3-5, para. 37. See also CRPD/C/SVK/CO/1, para. 24.
[122] CRC/C/SVK/CO/3-5, para. 37. See also CRPD/C/SVK/CO/1, para. 66.
[123] For relevant recommendations, see A/HRC/26/12, paras. 110.21, 110.47, 110.50–110.56, 110.102, 110.116–110.144 and 116.146.
[124] CERD/C/SVK/CO/11-12, para. 4.
[125] A/72/501, annex, para. 10.
[126] CCPR/C/SVK/CO/4, para. 13. See also A/72/501, annex, para. 10.
[127] CERD/C/SVK/CO/11-12, para. 20.
[128] CRC/C/SVK/CO/3-5, para. 45.
[129] UNESCO submission, para. 12.
[130] CCPR/C/SVK/CO/4, para. 16. See also CERD/C/88/D/56/2014, annex, para. 5.8 and CEDAW/C/SVK/CO/5-6, para. 28.
[131] CERD/C/SVK/CO/11-12, para. 21. See also CEDAW/C/SVK/CO/5-6, para. 36, CRC/C/SVK/CO/3-5, para. 42, letter dated 15 May 2015 from the Committee on the Elimination of Racial Discrimination addressed to the Permanent Mission of Slovakia to the United Nations Office and other international organizations in Geneva, p. 2 and E/C.12/SVK/Q/3, para. 21.
[132] CERD/C/SVK/CO/11-12, paras. 4 and 17. See also CCPR/C/SVK/CO/4, para. 3 and CAT/C/SVK/CO/3, para. 6.
[133] CERD/C/SVK/CO/11-12, para. 18. See also CCPR/C/SVK/CO/4, para. 17.
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[135] CERD/C/SVK/CO/11-12, para. 22. See also CCPR/C/SVK/CO/4, para. 17, CEDAW/C/SVK/CO/5-6, para. 37 and CRC/C/SVK/CO/3-5, paras. 16 and 43.
[136] CRC/C/SVK/CO/3-5, para. 15 and UNESCO submission, para. 11.
[137] CRC/C/SVK/CO/3-5, para. 42.
[138] CERD/C/SVK/CO/11-12, para. 25. See also CEDAW/C/SVK/CO/5-6, para. 26, CCPR/C/SVK/CO/4, para. 18 and CRC/C/SVK/CO/3-5, para. 44.
[139] CRC/C/SVK/CO/3-5, para. 44. See also CCPR/C/SVK/CO/4, para. 18, CRPD/C/SVK/CO/1, para. 67 and UNESCO submission, para. 11.
[140] CRC/C/SVK/CO/3-5, para. 44.
[141] CERD/C/SVK/CO/11-12, para. 26. See also CCPR/C/SVK/CO/4, para. 19, CEDAW/C/SVK/CO/5-6, para. 27 and CRC/C/SVK/CO/3-5, para. 45.
[142] For relevant recommendations, see A/HRC/26/12, paras. 110.45–110.46.
[143] CEDAW/C/SVK/CO/5-6, paras. 36–37.
[144] UNHCR submission, p. 4.
[145] CERD/C/SVK/CO/11-12, para. 27. See also CCPR/C/SVK/CO/4, para. 30 and CRC/C/SVK/CO/3-5, para. 52.
[146] UNHCR submission, p. 4.
[147] CERD/C/SVK/CO/11-12, para. 28. See also CCPR/C/SVK/CO/4, para. 31 and CRC/C/SVK/CO/3-5, para. 53.
[148] UNHCR submission, p. 4.
[149] CCPR/C/SVK/CO/4, para. 31. See also CERD/C/SVK/CO/11-12, para. 28.
[150] CRC/C/SVK/CO/3-5, para. 53. See also CERD/C/SVK/CO/11-12, para. 28, CCPR/C/SVK/CO/4, para. 33 and UNHCR submission, p. 4.
[151] CCPR/C/SVK/CO/4, para. 33 and CRC/C/SVK/CO/3-5, para. 55. See also CCPR/C/SVK/CO/4/Add.1, paras. 23–27.
[152] CCPR/C/SVK/CO/4, para. 32. See also CCPR/C/SVK/CO/4/Add.1, paras. 21–22.
[153] CRC/C/SVK/CO/3-5, para. 54.
[154] CCPR/C/SVK/CO/4, para. 33 and CRC/C/SVK/CO/3-5, para. 55. See also CCPR/C/SVK/CO/4/Add.1, paras. 28–36.
[155] CAT/C/SVK/CO/3, para. 17. See also CEDAW/C/SVK/CO/5-6, para. 40.
[156] UNHCR submission, p. 3. See also CRC/C/SVK/CO/3-5, para. 53.
[157] UNHCR submission, p. 5.